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Statement of Chairman Tom Harkin (D-IA) at the HELP Committee Hearing "A Fair Share for All: Pay Equity in the New American Workplace"

As Prepared for Delivery

"The Committee will come to order. We have convened this hearing to examine the issue of fair pay for women. This is not a new issue. In 1963, responding to the fact that the 25 million female workers in the workforce earned just 60 percent of the average pay for men, Congress enacted the Equal Pay Act to end this unfair discrimination against women in the workforce. This hearing is about reaffirming the basic promise of the Equal Pay Act, that every worker should be judged and compensated based on the quality of the work he or she performs, and not based on gender.

"Over the past 47 years, we have made progress toward this important goal, but progress has been stalled in the last decade. It is unacceptable that a woman still makes only 77 cents for every dollar that a man makes. This wage gap exists in every segment of our society. Women of every race and national origin earn less than their counterparts. An African-American woman earns 69 cents for every dollar that a white male earns, while a Latino woman receives only 59 cents for every dollar a white man earns. These differences add up to real hardships for working women and their families. An average woman loses an estimated \$700,000 over her lifetime due to unequal pay practices.

"Make no mistake, the wage gap is not just a woman's issue. It is a family issue. As we will hear today, women represent half of all workers. Millions of families rely on a woman's pay-check to get by. Two-thirds of mothers are bringing home at least a quarter of their family's earnings. In many families, the woman is the sole breadwinner. And, during the latest economic downturn, more men have lost jobs than women, making households even more dependent than ever on women's earnings.

"America's women are working harder than ever, but they're not being fairly compensated for their contributions to our economy. As a result, their families are struggling to put food on the table, pay for child care, and deal with rising health care bills. This isn't fair, and it isn't right.

"Now, it is true that some of the wage gap is explained by how society deals with the realities of working woman's lives, such as time away from the workforce to have children and care for family members. But, as we will hear today, the substantial gap in earnings between men and women cannot be explained completely by differences in work patterns, or even by differences in education, experience, or occupation. The evidence shows that actual gender discrimination accounts for much of the disparity between men and women's pay, and our laws have not done enough to prevent this discrimination from occurring.

"So while I am pleased and proud that the first piece of legislation President Obama signed into law was the Lilly Ledbetter Fair Pay Act, that important law was only the first step. We need to do much more.

"Too many women are still not getting paid equally for doing the exact same jobs as men. It's illegal. It is unacceptable. But, it happens every day. There are too many loopholes in our existing laws and too many barriers to effective enforcement.

"That is why I strongly support the Paycheck Fairness Act, which Senators Dodd and Mikulski have long championed. This critical legislation will strengthen penalties for discrimination and help give women the tools they need to identify and confront unfair treatment. In January, the House of Representatives voted overwhelmingly, on a bipartisan basis, to pass the Paycheck Fairness Act, and I look forward to working with my colleagues in the Senate to pass this bill and send it to the President during this Congress.

"While strengthening our existing laws is the next step towards wage equality, it can't be the last one. It is not enough to say that women and men performing the same jobs should be paid the same. That's only part of the problem. We also must tackle the more subtle discrimination that occurs when we systematically undervalue the work traditionally done by women, particularly women of color. Unfortunately, women are making less not only because of insidious discrimination but because we do not value jobs we traditionally view as 'women's jobs' as we value those we think of as "men's jobs."

"Today, millions of female-dominated jobs – for example, social workers, teachers, child care workers and nurses – are equivalent in skills, effort, responsibility and working conditions to similar jobs dominated by men. But, the female-dominated jobs pay significantly less. This is inexplicable. Why is a housekeeper worth less than a janitor? Why is a parking meter reader worth less than an electrical meter reader? Why is a social worker worth less than a probation officer?

"That is why I introduced the Fair Pay Act. My bill – which is championed in the House by Eleanor Holmes Norton – requires employers to provide equal pay for jobs that are equivalent in skill, effort, responsibility and working conditions.

"My bill would also require employers to publicly disclose their job categories and their pay scales, without requiring specific information on individual employees. If we give women information about what their male colleagues are earning, they can negotiate a better deal for themselves in the workplace. Right now, women who believe they are the victim of pay discrimination must file a lawsuit and endure a drawn-out legal discovery process to find out whether they make less than the man working beside them. With pay statistics readily available, this expensive process could be avoided.

"The number of lawsuits would surely go down if employees could see up front whether they are being treated fairly. In fact, last year, I asked Lilly Ledbetter if the Fair Pay Act had been law, would it have obviated her wage discrimination case. She said that with the information about pay scales that the bill provides, she would have known that she was a victim of discrimination and could have tried to address the problem much sooner, before it caused a lifelong drop in her earnings, and before she had to go all the way to the Supreme Court to try to make things right.

"While Lilly's strength and determination are inspiring, I would like to say – and I know she'd agree – that no American woman ever again should have to go through what she went through just to receive a fair day's pay for a fair day's work.

"I want to thank Senator Enzi as well as all of our witnesses for being here today, and I look forward to an informative hearing. Unfortunately, pay discrimination is a harsh reality in today's workplace, but it doesn't have to be that way. Our working women deserve complete fairness on the job, and it is long past time that we strengthen our laws to make equal pay for equal work a reality in the American workplace."

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